

Rule, “materials” includes pleadings and documents of any nature and in any medium or format.

(b) *Filing under Seal.* No materials may be filed under seal except by Court order, pursuant to a statute, or in accordance with a previously entered Rule 26(e) protective order.

(c) *Motion to Seal or Otherwise Restrict Public Access.* A party’s request to file materials under seal must be made by formal motion, separate from the motion or other pleading sought to be sealed, pursuant to LCvR 7.1. Such motion must be filed electronically under the designation “Motion to Seal.” The motion must set forth:

- (1)** A non-confidential description of the material sought to be sealed;
- (2)** A statement indicating why sealing is necessary and why there are no alternatives to filing under seal;
- (3)** Unless permanent sealing is sought, a statement indicating how long the party seeks to have the material maintained under seal and how the matter is to be handled upon unsealing; and
- (4)** Supporting statutes, case law, or other authority.

LCvR 6.1.

By the instant motions, Respondents seek to file “Exhibit 3” (Document No. 9) to their “...Response In Opposition To Petitioner’s Amended Motion To Quash Deposition Subpoena...” (Document No. 11) under seal. (Document No. 10). Respondents contend that Petitioner has designated the content of Exhibit 3 as “HIGHLY CONFIDENTIAL” and that sealing is necessary “to protect Everlight’s foreign affiliates confidentiality and privacy interests in the document.” (Document No. 10, pp. 1-2).

Respondents also seek to seal Exhibits 1, 2, 3, and 4 (Document Nos. 16, 17, 18, and 19) to their “Reply Memorandum Of Law...” (Document No. 21). (Document No. 20). Respondents contend that “[t]hese documents contain confidential information of Everlight and a non-party,

foreign affiliate of Everlight (“ECIC”), namely communications with the United States Food and Drug Administration (“FDA”). (Document No. 20, pp. 1-2).

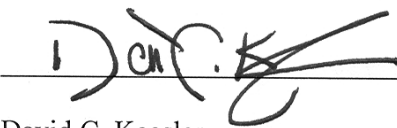
Having considered LCvR 6.1(c) and LCrR 49.1.1, and the record of this case, the Court will allow Respondents’ motions. Noting that the time for public response has not run for both motion, the Court will consider any objection to this Order from non-parties as an objection to the motion(s), requiring no additional burden for any non-party under the Federal Rules of Civil Procedure. See LCvR 6.1(e).

IT IS, THEREFORE, ORDERED that Respondents’ “...Motion To Seal” (Document No. 10) is **GRANTED**. Document No. 9 shall be **SEALED** and remain under **SEAL** until otherwise ordered by this Court.

IT IS FURTHER ORDERED that Respondents’ “...Motion To Seal” (Document No. 20) is **GRANTED**. Document Nos. 16, 17, 18, and 19 shall be **SEALED** and remain under **SEAL** until otherwise ordered by this Court.

SO ORDERED.

Signed: July 15, 2024



David C. Keesler
United States Magistrate Judge

